

S/N 09/754,826

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mohamed E. El Halawani et al.

Examiner: Unknown

Serial No.: 09/754,826

Group Art Unit: Unknown

Filed: January 4, 2001

Docket: 600.492US

Title: USE OF PASSIVE MYOSTATIN IMMUNIZATION



DECLARATION OF JANET E. EMBRETSON UNDER  
37 C.F.R. § 1.47(a)

Commissioner for Patents  
Washington, D.C. 20231

I, Janet E. Embretson, declare and say as follows:

1. I am employed as a patent attorney by Schwegman, Lundberg, Woessner & Kluth, P.A., P.O. Box 2938, Minneapolis, Minnesota 55402.

2. I give this Declaration to support the assignee's claim that diligent effort was made to obtain the signature of co-inventor Seungkwon You on a Combined Declaration and Power of Attorney.

3. On August 16, 2001, I prepared a letter (Exhibit A; a true and accurate copy of the letter dated August 16, 2001) addressed to Seungkwon You at the following address: School of Ag Biotechnol, Seoul National University, Suwon 441-722, Republic of Korea. Enclosed with the letter was a copy of the specification accorded Serial No. 09/754,826, a Combined Declaration and Power of Attorney and an Assignment. The letter requested that Seungkwon You date and sign the Declaration and Power of Attorney and the Assignment and return the executed documents for filing in the U.S. Patent and Trademark Office by September 4, 2001.

4. On September 4, 2001, I received an email from Seungkwon You regarding the package (Exhibit B, a true and accurate copy of Seungkwon You's September 4, 2001 email). Seungkwon You noted in his email that it was too late for him to sign and return the documents by the deadline of September 4, 2001 and requested my direction on what he should do.

5. On September 4, 2001, I sent a reply email to Seungkwon You requesting that he

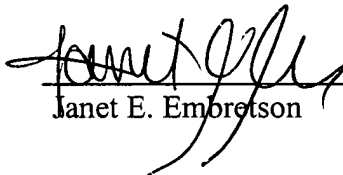
execute and return the Declaration and Power of Attorney and Assignment as soon as possible (Exhibit B). I further noted that if I did not hear from him by September 10, 2001, I would presume that he was refusing to execute the Declaration and Power of Attorney and Assignment.

6. Since September 4, 2001, I have not received any response from Seungkwon You.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

October 11, 2001

  
\_\_\_\_\_  
Janet E. Embretson

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

Janet E. Embretson (612) 373-6959 - Direct Dial  
jembretson@slwk.com

Dawn M. Poole (612) 373-6914 - Direct Dial  
dpoole@slwk.com

August 16, 2001



VIA DHL

Seungkwon You  
School of Ag Biotechnol  
Seoul National University  
Suwon 441-722  
Republic of Korea

Re: Docket # 600.492US1 - U of M Docket No. Z00173  
U.S. Patent Application Serial Number: 09/754,826  
Title: USE OF PASSIVE MYOSTATIN IMMUNIZATION

Dear Dr. You:

Enclosed is a copy of a patent application entitled "Use of Passive Myostatin Immunization" which includes a 57 page specification, 20 sheets of drawings, a Declaration and Power of Attorney and an Assignment. Both you and Mohamed E. El Halawani are named as co-inventors on this application. Please sign and date the attached Declaration and Power of Attorney and the Assignment and return the executed documents for filing in the U.S. Patent and Trademark Office. Please note, the Assignment must be signed in the presence of a Notary.

If you are personally represented by counsel in this matter, please forward this letter to your counsel. If we do not hear from you or your counsel by September 4, 2001, we will presume that you are refusing to execute the Declaration and Power of Attorney and the Assignment.

Very truly yours,

Janet E. Embretson

JEE:dmp

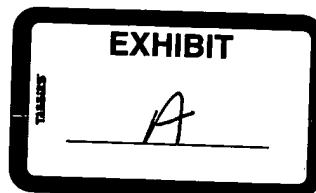
Enclosures

cc: Jeff Carpenter

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Patent Protection for High Technology

Intellectual Property Attorneys

1600 TCF Tower, 121 South Eighth Street, Minneapolis, Minnesota 55402  
Telephone: 612-373-6900 Fax: 612-339-3061 Website: www.slwk.com

**Dawn Poole**

---

**From:** Janet Embretson  
**Sent:** Tuesday, September 04, 2001 10:20 AM  
**To:** 'daum seungkwon'  
**Cc:** Dawn Poole  
**Subject:** RE: US patent application



Dear Dr. You,

Thank you for your response. We request that you execute both the Declaration/Power of Attorney and Assignment and return the executed documents to us as soon as possible. Preferably, please fax a copy of each of the executed documents to us and return the originals via an overnight delivery service. Note that a Notary is required for the Assignment. If you are not personally represented by counsel in this matter and have any questions, please do not hesitate to contact me.

If you are personally represented by counsel in this matter, please forward this e-mail and the letter you received to your counsel.

If we do not receive the executed documents or hear from your counsel by September 10, 2001, we will presume that you are refusing to execute the Declaration/Power of Attorney and the Assignment.

Yours truly,

Janet Embretson

-----Original Message-----

**From:** daum seungkwon [mailto:bioseung@hanmail.net]  
**Sent:** Tuesday, September 04, 2001 3:21 AM  
**To:** jembretson@slwk.com  
**Subject:** US patent application

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**OCT 19 2001**

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DEPUTY A/C PATENTS**

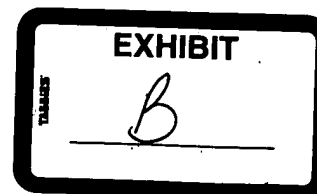
Dear, Janet Embretson :

My name is Seungkwon You and I am a co-inventor on the patent application with serial number : 09/754,826. Some of reasons, I received express mail today. After read materials what you send to me, I found that it is already late to respond to you by the date what you suggested in your cover letter.

So, please let me know what should I do for this subject. I will do my best to respond to your suggestion.

Thank you for your help and I will look forward hearing from you soon.

Sincerely yours,



Seungkwon You

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우리 인터넷, Daum <http://www.daum.net>

한메일넷 도착알림!, 무제한 파일전송!

☞다운받기 <http://messenger.daum.net/>

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

Janet E. Embretson (612) 373-6959 - Direct Dial  
jembretson@slwk.com

Dawn M. Poole (612) 373-6914 - Direct Dial  
dpoole@slwk.com

August 16, 2001



VIA DHL

Seungkwon You  
School of Ag Biotechnol  
Seoul National University  
Suwon 441-722  
Republic of Korea

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OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

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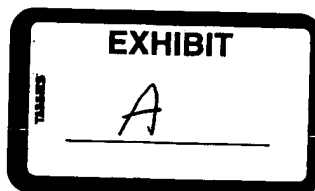
Very truly yours,

Janet E. Embretson

JEE:dmp

Enclosures

cc: Jeff Carpenter



Patent Protection for High Technology

Intellectual Property Attorneys

1600 TCF Tower, 121 South Eighth Street, Minneapolis, Minnesota 55402  
Telephone: 612-373-6900 Fax: 612-339-3061 Website: www.slwk.com

August 24, 2001



Schwegman Lundberg  
Attention: Dawn Poole  
1600 TCF Tower  
121 South 8th Street  
Minneapolis, MN 55402  
Fax: 612-339-3061

Re: Undeliverable Shipment

Airwaybill: 9309165585  
Date Shipped: August 16, 2001  
Shipper: Schwegman Lundberg  
Consignee: School of AG Biotechnol  
Country: Korea

Dear Ms. Poole:

We are unable to deliver the shipment referenced above due to an incorrect address and no telephone number. Please contact me by August 29, 2001 with the new information so that we may attempt delivery. If we are not able to complete delivery by August 29, 2001 the shipment will be abandoned at the destination.

Please note this will be our last correspondence regarding this shipment.

DHL sincerely regrets any inconvenience that may have resulted with regards to this shipment. We value our relationship with our customers and hope you will allow us to continue providing services to your company.

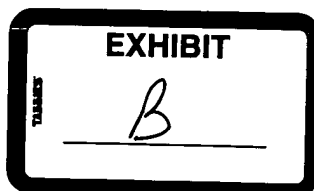
Sincerely,

Angie Cline  
Service Inquiry Representative  
1-800-225-5345 prompt 9 Ext. 7572

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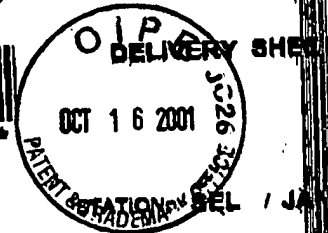
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DHL Worldwide Express  
1144 W. Washington St.  
Tempe, AZ 85281  
(800) 225-5345

*Handwritten:* 012-71, 2009-0369, 019-388, 5/19



DELIVERY DATE: 04/09/2001 TIME: 15:54 ROUTE: JA50 B COURIER: 5034 PETE O

The consignee declares that he/she has received the shipment(s) in good order and condition, and hereby accepts our terms and conditions as defined on the invoice(s) attached to the shipment

Sheet:

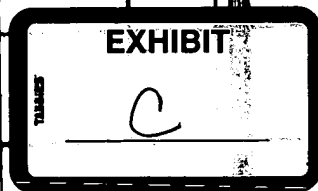
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	W O JIN CHEMICAL DT				
3	1118928392 SIN D	1	0.5 KG 03/09/01	<i>Handwritten: 0.5 KG, 03/09/01</i>	<input type="checkbox"/>
	DAE KYUNG TEXTILE CO. L				
4	9309165585 MSP	1	0.5 KG (2021/11/10)	<i>Handwritten: 0.5 KG, 2021/11/10</i>	<input type="checkbox"/>
	<i>Handwritten: Yoo, Seongkwon</i>				
5	1018182793 SIN P	1	1.0 KG 03/09/01	<i>Handwritten: 1.0 KG, 03/09/01</i>	<input type="checkbox"/>
	PANMUN BOOK COMPANY LTD				
6					<input type="checkbox"/>
7	<i>Handwritten: Yoo Seongkwon in English</i>		KG		<input type="checkbox"/>
8			KG		<input type="checkbox"/>
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10			KG		<input type="checkbox"/>
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*Large Handwritten:* T8: Desk 7572

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